

THE GEORGE WASHINGTON UNIVERSITY
Washington, D. C.

MINUTES OF A REGULAR MEETING OF THE
FACULTY SENATE HELD ON MAY 4, 1973,
IN THE FACULTY CONFERENCE ROOM,
SIXTH FLOOR, LIBRARY

- 1 The meeting was called to order at 2:10 p.m., by President Elliott, who presided.

Present: President Elliott, Registrar Houser, Parliamentarian Stevenson, Birnbaum for Feffer, Breen, Brenner, Cassidy, Eisenberg, Harris, Highfill, Hill, Kaye, Kirsch, Kornhauser for Tillman, Metivier for Linton, Morgan, Naeser, Nash, Schiff, Schmidt, Schwoerer, Solomon, and Stevens.

Absent: Provost Bright, Allen, Angel, Barrett, Black, Burns, Dockeray, Foa, R. Kramer, Liebowitz, Linden, Parrish, Sapin, Smith, and Tsangaris.
- 2 In accordance with Professor Moser's request, an alteration was made in the minutes of the regular meeting of April 13, 1973, on Page 3, Line 22, by deleting the words "an All-University Assembly submitted to the Faculty Senate" and substituting, therefor, the words "adding student members to the Faculty Senate submitted to the Faculty Assembly." It was then moved and seconded that the minutes be approved, as changed, and they were approved unanimously.
- 3 a. Professor Stevens, on behalf of the Joint Committee of Faculty and Students, moved the adoption of Resolution 73/5, "A Resolution to Establish an Office of University Ombudsman," and Professor Morgan seconded. After discussion and questions by Professors Kirsch, Harris, Hill, Stevens, and Mr. DeRiggi, Professor Hill moved that Paragraph 15 in the resolution be amended, as follows: "At least once a month the Ombudsman shall avail himself of the Monday Report to publicize the complaints he receives, discussing those complaints in general terms, omitting mention of specific persons and specific complaints." Professor Stevens seconded the motion, and the amendment was put and adopted unanimously. After further discussion by Professors Stevens, Highfill, Harris, Mr. Bumgarner, and Registrar Houser, Professor Nash moved that Paragraph 10 be stricken in its entirety, and Professor Hill seconded. After comment by Registrar Houser, the question was put on the amendment, and the amendment was carried without dissent. Further discussion followed by Professors Brenner, Kirsch, Schmidt, Morgan, Hill, Nash, Breen, Eisenberg, Vice President Smith, and Mr. Bumgarner, whereupon Professor Nash moved that Paragraph 11 be amended by inserting the words "academic, financial" before the word "medical" and by changing the word "person" to "persons." Professor Morgan seconded the motion. The amendment was put and carried without dissent. Professor Brenner moved that Paragraph 1 in the resolution, Line 3, be amended by adding the word "affirmative" before the word "vote" and that the same addition be made elsewhere in the resolution and Appendix I wherever relevant. Professor Nash seconded the motion. The amendment was put and carried unanimously. Professor Nash moved that Paragraph 2 in the resolution be amended to read, as follows: "The Ombudsman be selected by the President from nominations made by a screening committee composed of students, faculty, administrators, and alumni. The structure of the screening committee shall be defined in accordance with the procedures set forth in Appendix I." Professor Stevens seconded the motion. After discussion by Professors Schwoerer, Hill, Morgan, Nash, and Mr. DeRiggi, the question on the amendment was put and carried without dissent. At this point, Professor Kirsch moved to

recommit, and Professor Harris seconded. After discussion by Mr. DeRiggi, Professors Morgan, Hill, Eisenberg, Cassidy, and Schmidt, the motion to recommit was put and lost. Professor Stevens moved that Paragraph 3 in the resolution be stricken in its entirety, and Professor Morgan seconded. After comment by Mr. DeRiggi, the motion to amend was put and carried without dissent. Further discussion followed by Vice President Smith, Mr. DeRiggi, Professors Morgan, Highfill, Hill, Nash, Schwoerer, and Stevens, and Professor Morgan moved that the word "administrators" be replaced by the words "non-academic personnel" wherever it appeared in the resolution and Appendix I. Professor Stevens seconded the motion. The amendment was put and carried without dissent. The question was then called on the original resolution, as amended, and, by a vote of 8 to 6, the motion to adopt the resolution, as amended, was carried.

- 4 a. Professor Naeser, on behalf of the Professional Ethics and Academic Freedom Committee, submitted the recommended revisions to the Code and Ordinances. He suggested that the Senate study the proposal over the summer, and requested that the matter be put on the agenda for the September meeting of the Faculty Senate. (NOTE - because of the considerable length of this document, the same is not being distributed at this time; however, copies are available on file in the Senate Secretary's Office.)
- 4 b. Professor Stevens, on behalf of the Executive Committee, presented the following report:

On April 5, 1973, I received from Professor Sonya A. Quitslund the following letter: 'I have been denied tenure by the Department of Religion. I appeal to the Executive Committee of the Faculty Senate to reverse that decision because I feel I have been discriminated against because of my sex.' In the case of all requests of this type, the Executive Committee considers the request and attempts to mediate the difference and to arrive at a satisfactory solution of the problem. I was authorized to pursue mediation attempts and I have discussed the matter with both sides. I have not concluded that there was any discrimination on the basis of sex as alleged by Professor Quitslund. However, I did conclude that there were other considerations which could be better decided by others, and recommended to the Executive Committee that a Special Committee be elected to consider further the questions raised by Professor Quitslund. Professor Quitslund stated that she wished to continue, as the basis of her complaint, the allegation that she had been discriminated against because of her sex. The Executive Committee notes that this is a precedent-setting case. After thorough discussion of the membership of such a committee, the Executive Committee recommended a five-person group, with three female members.

Professor Stevens then moved, on behalf of the Executive Committee, the nomination for election, as a Special Committee to consider the case, the following-named persons: Associate Professor Linda G. DePauw, History, (Temporary Chairman), Associate Professor Marvin Eisenberg, Engineering, Professor Elyce Z. Ferster, Law, Professor George F. Henigan, Speech, and Professor Thelma Z. Lavine, Philosophy. After discussion of the case by Professors Breen and Stevens, the Chair asked for nominations from the floor. There were no further nominations and the slate was elected unanimously.

Professor Schmidt moved the nomination of Charles S. Tidball, Professor of Physiology, to the Library Committee, and Professor Eisenberg moved the nomination of William T. Woodward, Assistant Professor of Painting, to the Physical Facilities Committee. Professors Tidball and Woodward were unanimously elected to the respective committees.

- 5 Under Brief Statements, President Elliott wished everyone a good summer.
- 6 The President adjourned the meeting at 3:55 p.m., upon motion duly made and seconded.

Frederick R. Houser
Frederick R. Houser,
Secretary

A RESOLUTION TO ESTABLISH AN OFFICE OF UNIVERSITY OMBUDSMAN (73/5)

WHEREAS, In an institution as large and complex as The George Washington University, there is need on the part of students, faculty and others for a person to whom complaints and suggestions of whatever nature could be referred; and

WHEREAS, An Office of Ombudsman has been successfully used by large institutions to combat the problems and frustrations which are inevitable in complicated bureaucracies; and

WHEREAS, Faculty Senate Resolution 71/18 calls for the creation of such an office; therefore

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That an office of University Ombudsman be established with the following guidelines:

1. The Ombudsman be appointed for two years, renewable by mutual agreement of the Ombudsman, the University, and a two-thirds' vote of the screening committee (described in Paragraph 2 hereafter) with at least one affirmative vote coming from each constituency.
2. The Ombudsman be selected by the President from nominations made by a screening committee composed of students, faculty, non-academic personnel, and alumni. The structure of the screening committee shall be defined in accordance with the procedures set forth in Appendix I.
3. The job of University Ombudsman is a full-time job.
4. The Ombudsman shall be established as an aid primarily for students, faculty, non-academic personnel, and alumni.
5. The Ombudsman shall not have the authority to make policy decisions by himself, but he shall be in a position to hear grievances of any type, including academic matters.
6. Where a pattern of grievances develops, the Ombudsman shall work for a change in regulations, procedures, or personnel to prevent recurrence.
7. The Ombudsman shall supplement, not supersede, other means of redress.
8. The Ombudsman shall not have the authority to take disciplinary action, reverse decisions, or circumvent regulations. His power shall lie in his prestige, persistence, and persuasive ability.
9. Access to academic, financial, medical, and psychological records shall not be available to the Ombudsman without express written permission from the persons involved.

A RESOLUTION TO ESTABLISH AN OFFICE OF
UNIVERSITY OMBUDSMAN (73/5) - continued
Page 2

10. The Ombudsman shall report, officially, only to the President of the University, and he shall be outside the hierarchy of the administration.

11. The Ombudsman shall have private office space apart from the main administrative building to make him both highly visible and accessible to the University community. He shall be provided with appropriate clerical assistance. The Ombudsman shall not delegate authority to anyone.

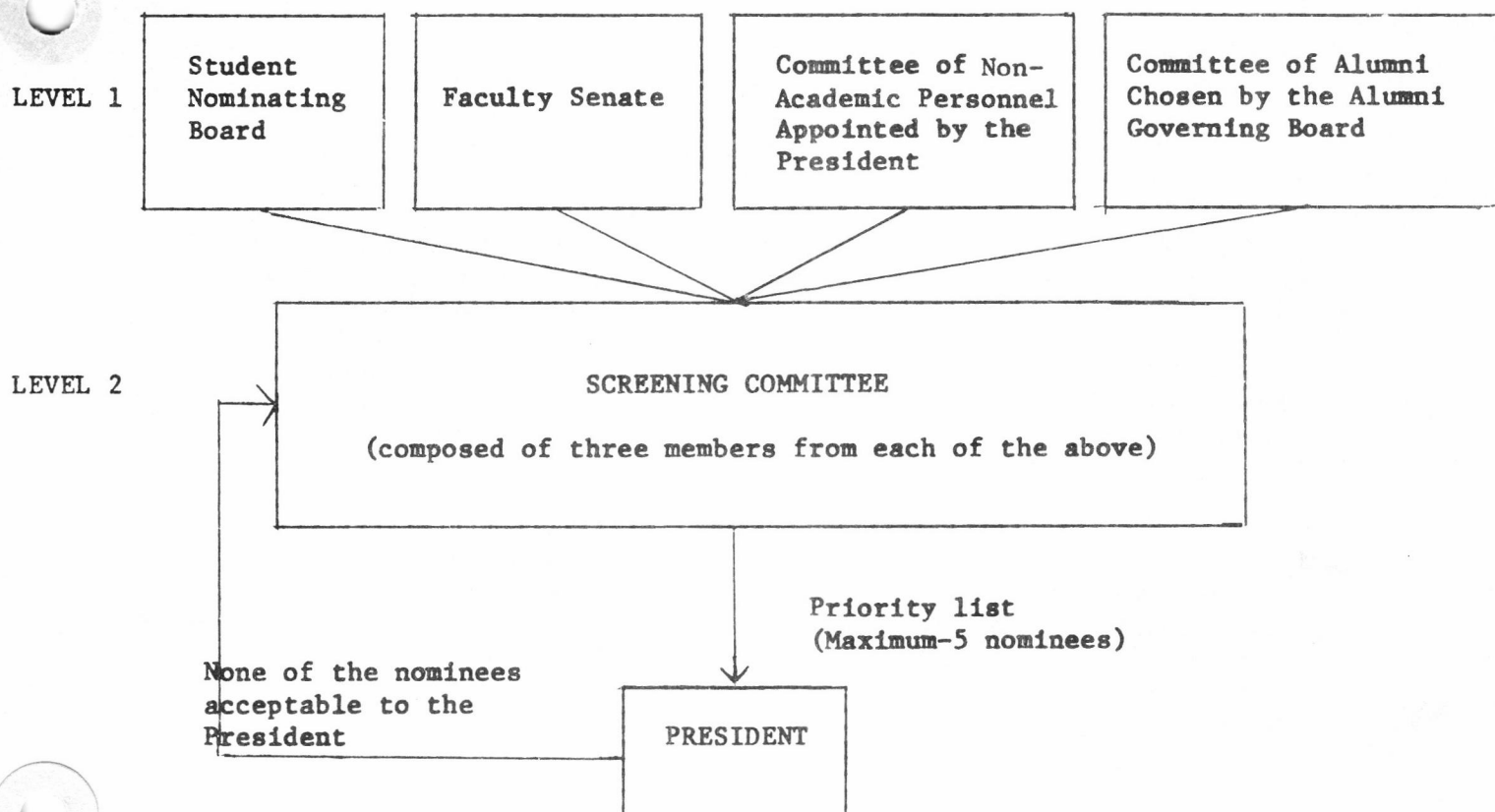
12. The Ombudsman shall keep confidential records for all cases that he handles. The President shall have access to these records.

13. At least once a month the Ombudsman shall avail himself of the Monday Report to publicize the complaints he receives, discussing those complaints in general terms, omitting mention of specific persons and specific complaints.

Joint Committee of Faculty and Students
April 20, 1973

Adopted, as amended, May 4, 1973
(Final version shown)

APPENDIX I



LEVEL 1: Each of the groups listed here nominates three people from its own constituency to serve as members of the screening committee (Level 2). When this is completed, Level 1 has no further function in the nominations of Ombudsman.

LEVEL 2: This selection committee shall be composed of three students, three faculty members, three non-academic personnel, and three alumni selected as described above. Its function will be to submit a list of five names (nominations for the Office of Ombudsman), in order of priority, to the President.

The operating procedures of the selection committee shall be as follows:

1. The full committee shall meet to determine the top five nominations. The five names will be presented to the President in order of priority. In order for the priority list to be passed on to the President, it must receive a two-thirds' vote of the selection committee (8 votes), as well as receiving at least one affirmative vote from each constituency. With this stipulation, there is no need to require that each constituency be represented on the final list of nominations.

2. If the selection committee cannot agree on a final list, then, theoretically, some of the nominations being considered would not make effective Ombudsmen, since one group would be theoretically hostile to them. In this case the committee would then seek other nominations.

3. Since it is absolutely essential that the President have trust in the Ombudsman, the President can always exercise his prerogative of refusing all of the nominees submitted to him. In that case the priority list would be returned to the selection committee.

4. After an Ombudsman is appointed, he shall be responsible only to the President; however, the selection committee shall continue to exist as an impeachment facility. In order for an impeachment motion to pass, it must receive a three-quarters' vote (9 votes) of the selection committee, which must include at least two affirmative votes from each constituency. It shall be the President's decision whether or not to accept an impeachment recommendation.

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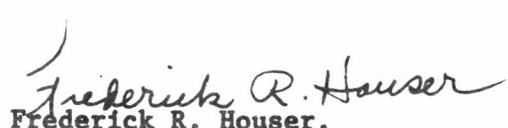
The Faculty Senate

April 25, 1973

The Faculty Senate will meet on Friday, May 4, 1973, at 2:10 p.m., in the Faculty Conference Room on the sixth floor of the Library.

AGENDA

1. Call to order
2. Minutes of the regular meeting of April 13, 1973
3. Resolutions:
 - (a) A RESOLUTION TO ESTABLISH AN OFFICE OF UNIVERSITY OMBUDSMAN (73/5) with report, Joint Committee of Faculty and Students
4. Reports:
 - (a) Recommended revisions of the Code and Ordinances, Professional Ethics and Academic Freedom Committee
 - (b) Election of Special Committee in the case of Sonya Quitslund, Assistant Professor, Department of Religion, concerning alleged infringement of rights or privileges under the Code and Ordinances, Faculty Procedures for the Implementation of Article IX, A.2. Preliminary Proceedings; nomination by the Executive Committee: Associate Professor Linda G. DePauw, History, (Temporary Chairman), Associate Professor Marvin Eisenberg, Engineering, Professor Elyce Z. Ferster, Law, Professor George F. Henigan, Speech, and Professor Thelma Z. Lavine, Philosophy
5. Brief Statements
6. Adjournment


Frederick R. Houser,
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2. The Ombudsman be selected by a screening committee composed of students, faculty, administrators, and alumni for the purpose of making nominations to the President. The structure of the screening committee shall be as defined in Appendix I.

3. The Ombudsman shall not be from outside the University community. The University community is defined as students, faculty, administrators, and alumni.

4. The job of University Ombudsman is a full-time job.

5. The Ombudsman shall be established as an aid primarily for students, faculty, non-academic personnel, and alumni.

6. The Ombudsman shall not have the authority to make policy decisions by himself, but he shall be in a position to hear grievances of any type, including academic matters.

7. Where a pattern of grievances develops, the Ombudsman shall work for a change in regulations, procedures, or personnel to prevent recurrence.

8. The Ombudsman shall supplement, not supersede, other means of redress.

9. The Ombudsman shall not have the authority to take disciplinary action, reverse decisions, or circumvent regulations. His power shall lie in his prestige, persistence, and persuasive ability.

10. In conducting investigations, the Ombudsman shall have access to all official University files and offices, trusting his discretion as to the use of information which, if released, might be detrimental or cause embarrassment to any member of the University community. Personal records of the faculty and administration will receive the normal protection of the law.

11. Access to medical and psychological records shall not be available to the Ombudsman without express written permission from the person involved.

12. The Ombudsman shall report, officially, only to the President of the University, and he shall be outside the hierarchy of the administration.

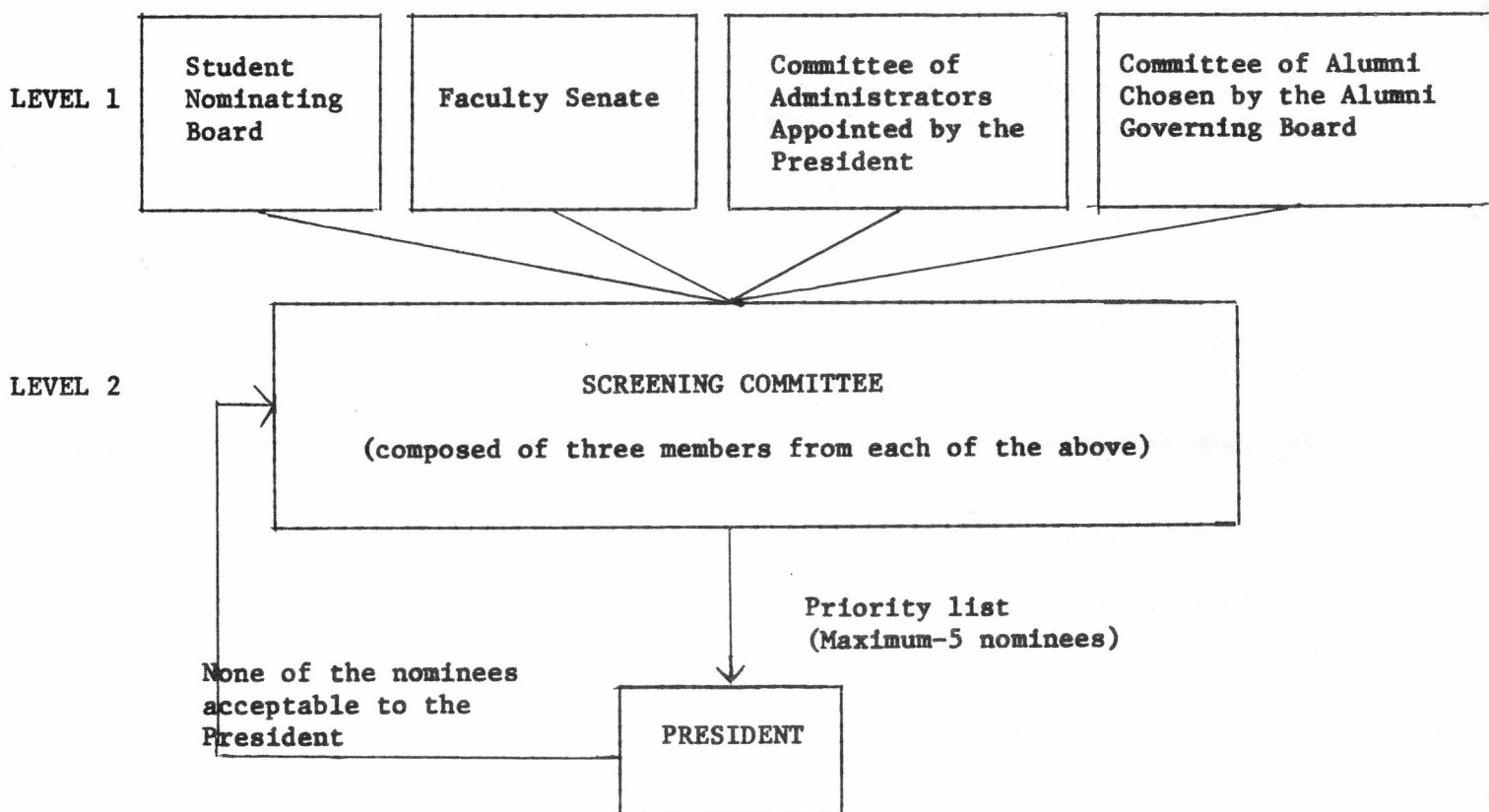
13. The Ombudsman shall have private office space apart from the main administrative building to make him both highly visible and accessible to the University community. He shall be provided with appropriate clerical assistance. The Ombudsman shall not delegate authority to anyone.

14. The Ombudsman shall keep confidential records for all cases that he handles. The President shall have access to these records.

15. The Ombudsman shall publicize the complaints he receives at least monthly in a format similar to that of the Monday Report, discussing the problems and complaints very generally and omitting mention of specific persons and complaints.

Joint Committee of Faculty and Students
April 20, 1973

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OMBUDSMAN ACTIVITIES *

1. Parking - approximately 30 complaints
 - A. Unable to get space - 8
 - B. Unable to secure tickets - 11 (mostly graduate students)
 - C. Receiving tickets (extenuating circumstances prevailed) - 3
 - D. Damage to vehicle in lot - 2
 - E. Failure of Traffic Court to exercise timely jurisdiction on a specific case - 2
 - F. Complaint re: new garage causing back-up across H Street intersection - 3
 - G. Possible conflict with existing state or federal regulations regarding placement of sticker on windshield - 1
2. Student Health Service - 23 complaints
 - A. Required to wait unusually long time - 3
 - B. Not advised of charge for outside lab work done - 5
 - C. Unable to reach doctors on emergency numbers provided - 2
 - D. Unable to get allergy shots when convenient to student - 1
 - E. Assisting National Health Lab in resolving claims with students who haven't paid - 5 or 6
 - F. Assisting students in resolving claims rejected or questioned by Blue Cross and Blue Shield Insurance - 5 or 6
3. Food Services - 6 complaints
 - A. Food is of poor quality and not prepared well - 3
 - B. Attitude of individuals serving food toward students - 2
 - C. Students throwing food in cafeteria - 2
4. Academic Advising and Problems With Professors and Classes - 24 complaints
 - A. Lack of or poor academic advising - 5
 - B. No academic advisor - 2
 - C. Insufficient information regarding academic requirements for transfer students coming to George Washington - 7
 - D. Difficulty with professors in class (understanding or receiving help) - 2
 - E. Accusation of threats directed toward student by professor - 1
 - F. Complaints re: general class procedures and work - 5
 - G. Inquiries re: procedures for withdrawing/transferring from George Washington - 3
 - H. Academic Dishonesty - 2 (plagiarism)

*as reported by Mr. Kenneth E. Bumgarner,
Student Ombudsman, covering the period
July 1, ~~1971~~, to present.
1972

5. Marvin Center - 10 complaints
 - A. Not enough study space - 4
 - B. TV room not staying open late enough - 1
 - C. Complaint on election results for one of the Center Board positions - 3
 - D. Complaint by student organization regarding allocation of office space to groups - 2
6. Financial Aid - 3 complaints
 - A. Cut off date for small emergency loans is too early
 - B. Limited amounts of financial aid and small emergency loans available - 1
 - C. Limited amount of work study funds - 1
7. Security Office - 6 complaints
 - A. Student complaint of being stopped when entering building with other students. Indicated he felt the reasons were racially oriented - 1
 - B. A student complained about an officer making remarks directed toward a particular group while on duty in the Center - 1
 - C. Officers using excessive force in handling situations - 4
8. Student Accounts-Cashier - 10 complaints
 - A. Excessive amount charged for late payment on deferred account - 6
 - B. Billing for a course that was dropped - 1
 - C. Complaint regarding a \$15.00 charge for a returned check - 2
 - D. Complaint of fee charged for check cashing privilege - 1
9. Registrar's Office - 14 complaints
 - A. Inability to receive transcript immediately when appearing in person with payment - 6
 - B. Transcript fee is excessive - 5
 - C. Parents concern over not sending grades home - 2
 - D. Record of attendance (transcript) doesn't exist - student claims he did attend and graduate - 1
10. Housing - 22 complaints
 - A. Roommate problems - 5
 - B. Student wanting to break lease - 4
 - C. Student wanting to get out of food contract - 5
 - D. Unsatisfactory living conditions - 3
 - E. Tenant problem with landlord in off campus facilities - 4
 - F. Election result complaint for Residence Hall Council - 1
11. Library - 50 to 60
 - A. Assisting Mr. Melegrito in attempting to encourage students to return books that are overdue by sending a letter from this office

- B. Helped student regarding lost book and inability to pay fine - 2
- C. Student who tears his shirt on a metal shelf in the Library
feels that the Library should replace the shirt - 1
- 12. Bookstore - 4 complaints
 - A. Books for a specific class sold out - not enough ordered - 3
 - B. Attitude of employees toward customers - 2
- 13. Admissions - 1 complaint
 - A. Student felt the Scholarship Committee was putting off making
a decision regarding his readmission to George Washington - 1
- 14. Deans' Offices - 5 to 10
 - A. Contacts concerning policy and procedures for academic dishonesty
cases and their eventual solutions
- 15. Handicapped Student
 - A. Worked with a student for one year in attempting to establish a
program at George Washington University for handicapped students;
worked later with same student, attempting to get him a job with
the government or with a local handicap agency.
- 16. Academics
 - A. Student forced to drop while passing the second part of a two
part course after mid-semester due to a failure in the
introductory course
- 17. Miscellaneous
 - A. No place to practice guitar - 1
 - B. Gym hours for free play are not long enough - 5
 - C. Worked with student regarding draft status during the
mid-semester recess - 1
 - D. Assisted in getting funds for additional personnel to staff free
play hours in gym - 2
 - E. Attempted to resolve problem in getting yearbooks - 3

MAJOR PROJECTS DURING THE YEAR

- 1. Rules and Regulations Manual for students re: conduct
- 2. Reimbursement from Blue Cross and Blue Shield for overpayment during
President Nixon's freeze on price increases
- 3. Working with various groups to study photo ID cards for George
Washington University
- 4. Assisting with research regarding implementation of the DCPIRG
system at George Washington University
- 5. Continuing a study on the policy on release of student information and
privacy at George Washington University

6. Suggesting the need for an academic guide not only for entering freshmen, but also for transfer students
7. Serving as a contact point for commuter problems
8. Assisted in study regarding academic dishonesty and preparation of policy for implementation

Examples of resolution of student grievances:

- 1-F: notified in writing the director of parking and Chairman of the University Parking Committee of the problem and resulting in having a sign placed in an area to warn potential parkers that they should not block intersection when lot is full. In addition the parking attendant should notify campus security to assist when back up occurs.
- 2-D: Call director of SHS and arrange for student to receive his shots.
- 3-C: Had a long discussion with the students and indicated that they might lose the privilege of eating in the University cafeteria if they can't conform to common social regulations.
- 4-H: Work with Assistant Dean of School to establish procedures for hearing and to assist student in obtaining admission.
- 5-A: Call Director of Center to access the situation. They obtain additional rooms through University Business Office.
- 7-B. Contacted Director of Security and discussed situation and received assurances that he would discuss the matter directly with the office involved.
- 8-B: Called student accounts office and asked to have the problem checked and found that our billing on the drop-adds was behind--thus the problem.
- 10-B: Advise student on legality of leave arrangements and suggest if special consideration is warranted to speak directly to Director of Housing.
- 12-A: Discussed problem with Bookstore manager and he indicated the problem was a result of late request for course text book by professors and the Bookstore's problem with obtaining quantities from suppliers--a new system has since been implemented.

